



General Assembly

January Session, 2011

Committee Bill No. 5802

LCO No. 4096

04096HB05802PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

**AN ACT ADOPTING CERTAIN SAFETY RECOMMENDATIONS OF THE
THOMAS COMMISSION.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) No person who
2 constructs or operates an electric generating facility shall use
3 flammable gas to clean or blow the gas piping of such facility.

4 (b) Any person applying to the Connecticut Siting Council for a
5 certificate to build a facility described in subdivision (3) of subsection
6 (a) of section 16-50i of the general statutes shall provide for:

7 (1) At least one special inspector; and

8 (2) The training of local fire marshals of the municipality where the
9 facility is proposed to be located on the issues involved in
10 construction.

11 (c) The special inspector required under subsection (b) of this
12 section shall have the following duties:

13 (1) To assist the local fire marshal in reviewing and approving

14 methods for cleaning the interior of gas piping;

15 (2) To approve an appropriate safety plan for any nonflammable gas
16 blows conducted at the electric generating facility;

17 (3) To observe the actual cleaning procedure in order to assure
18 compliance with the approved methods for cleaning the interior of gas
19 piping; and

20 (4) To conduct inspections during construction of such facility in
21 order to ensure compliance with the approved methods and with the
22 provisions of this section.

23 (d) Any person designated as a special inspector for purposes of this
24 section shall:

25 (1) Be approved by the Connecticut Siting Council and not
26 otherwise financially involved in the construction or operation of the
27 electric generating facility; and

28 (2) (A) Be licensed as a professional engineer pursuant to chapter
29 391 of the general statutes;

30 (B) Be commissioned by the American Society of Mechanical
31 Engineers; or

32 (C) Have equivalent experience working with the International
33 Code Council's International Mechanical Code and the American
34 Society of Mechanical Engineers' Process Piping Code, as determined
35 by the American Society of Mechanical Engineers.

36 (e) Any person who violates any provision of subsection (a) or (b) of
37 this section shall be fined not more than one thousand dollars or
38 imprisoned not more than six months or both for each offense.

39 Sec. 2. Subsection (h) of section 16-50j of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (h) Prior to commencing any hearing pursuant to section 16-50m,
43 the council shall consult with and solicit written comments from (1) the
44 Department of Environmental Protection, the Department of Public
45 Health, the Council on Environmental Quality, the Department of
46 Agriculture, the Department of Public Utility Control, the Office of
47 Policy and Management, the Department of Economic and
48 Community Development and the Department of Transportation, and
49 (2) for a facility described in subdivision (3) of subsection (a) of section
50 16-50i, the Department of Emergency Management and Homeland
51 Security, the Department of Public Safety, the Department of
52 Consumer Protection and the Department of Public Works and the
53 Labor Department. In addition, the Department of Environmental
54 Protection shall have the continuing responsibility to investigate and
55 report to the council on all applications which prior to October 1, 1973,
56 were within the jurisdiction of said Department of Environmental
57 Protection with respect to the granting of a permit. Copies of such
58 comments shall be made available to all parties prior to the
59 commencement of the hearing. Subsequent to the commencement of
60 the hearing, said departments and council may file additional written
61 comments with the council within such period of time as the council
62 designates. All such written comments shall be made part of the record
63 provided by section 16-50o. Said departments and council shall not
64 enter any contract or agreement with any party to the proceedings or
65 hearings described in this section or section 16-50p, that requires said
66 departments or council to withhold or retract comments, refrain from
67 participating in or withdraw from said proceedings or hearings.

68 Sec. 3. (NEW) (*Effective from passage*) At least once during the period
69 of construction of an electric generating facility in this state, the
70 Connecticut Siting Council and the Departments of Public Safety,
71 Emergency Management and Homeland Security, Consumer
72 Protection and Public Works, and the Labor Department shall conduct
73 a meeting to discuss and develop proposed resolutions for any known
74 or potential safety issue at such facility. The council and said
75 departments shall submit any such proposed resolutions to the special

76 inspector provided for such facility, as required pursuant to section 1
 77 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	16-50j(h)
Sec. 3	<i>from passage</i>	New section

Statement of Purpose:

To adopt certain safety measures recommended by the Thomas Commission in response to the explosion which took place on February 7, 2010, at the Kleen Energy construction site in Middletown, Connecticut.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. ORANGE, 48th Dist.; REP. DARGAN, 115th Dist.
 SEN. DAILY, 33rd Dist.; REP. LESSER, 100th Dist.
 REP. HAMM, 34th Dist.; REP. CARPINO, 32nd Dist.
 SEN. DOYLE, 9th Dist.; SEN. PRAGUE, 19th Dist.
 REP. RYAN, 139th Dist.; REP. SERRA, 33rd Dist.

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